

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

JUNE 15, 2000

IN RE:)	
)	
BELLSOUTH TELECOMMUNICATIONS,)	DOCKET NO. 00-00391
INC. TARIFF TO INTRODUCE THE)	
WELCOME BACK! WIN PROGRAM)	

**ORDER CONVENING A CONTESTED CASE PROCEEDING,
GRANTING INTERVENTION TO NEXTLINK TENNESSEE, INC.
AND APPOINTING A HEARING OFFICER ON THE MERITS**

This matter came before the Tennessee Regulatory Authority (the "Authority" or "TRA") at a regularly scheduled Authority Conference held on June 6, 2000 for consideration of the Tariff to Introduce the "Welcome Back! Win Back Program" filed by BellSouth Telecommunications, Inc. ("BellSouth") on May 16, 2000. The Authority also considered the Petition to Suspend Tariff, Convene a Contested Case and to Intervene ("Petition") filed by NextLink Tennessee, Inc. ("NextLink") on June 2, 2000.

At the above-referenced Authority Conference, upon consideration of the Petition, response and representations of the parties, the Directors voted 2-1 to open a contested case proceeding.¹ Applying the legal standards for intervention, codified at Tenn. Code Ann. § 4-5-310, the majority of the Directors found that the Petition was filed within the proper time period;

¹ Director Greer moved that NextLink's Petition be denied and the Tariff be approved. He expressed concern that NextLink's petition may be a delaying tactic and considered the petition as not having merit. His motion was not seconded. Director Greer further stated that by approving the tariff the Authority would promote competition by offering more competitive choices to consumers.

substantiated that legal interests of the intervenor may be determined in this matter; and demonstrated that the interest of justice and the orderly and prompt conduct of this matter would not be impaired by allowing such intervention. The majority also appointed the Authority's General Counsel or his designee to act as the Hearing Officer for the purposes of setting a procedural schedule to completion, making findings of fact and conclusions of law, as necessary, and rendering an initial decision on the merits of the Tariff. Finally, the Authority strongly expressed its desire and obtained the verbal agreement of the parties to conclude this docket in an expeditious manner.

During deliberations as to whether the Directors should suspend the Tariff, BellSouth and NextLink reached an agreement. The parties agreed that the Tariff would become effective on June 15, 2000 and any customers signed up through the Tariff would be advised that the program is currently under review by the TRA. If the Authority were to deny the Tariff, those customers who signed up while the program was in effect would be eligible for the discounts they received through the Tariff by negotiating Contract Service Arrangements that BellSouth would file with the Authority for approval. A majority of the Directors approved this agreement.²

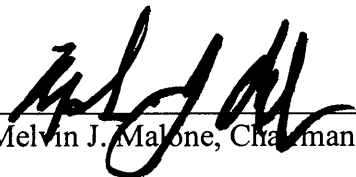
IT IS THEREFORE ORDERED THAT:

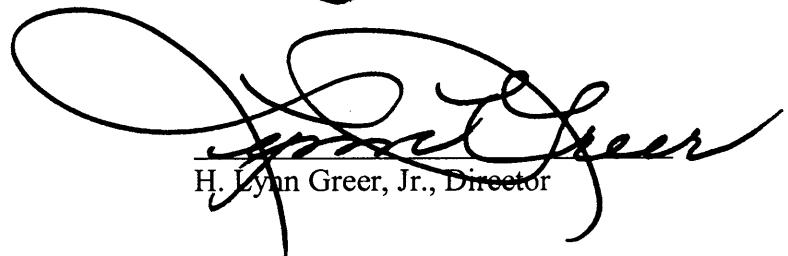
1. A contested case is hereby convened;
2. NextLink Tennessee, Inc. is hereby given leave to intervene and participate in this proceeding as their interests may appear and receive copies of any notices, orders or other documents herein;
3. The agreement of the parties as set forth herein is approved;

² Chairman Malone did not support the interim agreement because, among other things, depending upon the final resolution of this matter, the agreement contradicts the very essence of Nextlink's Petition to Intervene.

4. The General Counsel or his designee is appointed Hearing Officer in this matter to set a procedural schedule to completion, to make findings of fact and conclusions of law, as necessary, and to render an initial decision on the merits of the Petition, pursuant to Tenn. Code Ann. §§ 4-5-301 and 65-2-111 and such other legal authority as may be provided by law; and

5. Any party aggrieved with the Authority's decision in this matter may file a Petition for Reconsideration with the Authority within fifteen (15) days from the date of this Order.


Melvin J. Malone, Chairman


H. Lynn Greer, Jr., Director


Sara Kyle, Director

ATTEST:


K. David Waddell, Executive Secretary